1 2 3 4 5 6	Kristin A. Zilberstein, Esq. (SBN: 200041) Jennifer R. Bergh, Esq. (SBN 305219) Adam P. Thursby, Esq. (SBN 318465) GHIDOTTI BERGER 1920 Old Tustin Ave. Santa Ana, CA 92705 Ph: (949) 427-2010 Fax: (949) 427-2732 athursby@ghidottiberger.com	
7		
8	Attorney for: US Bank Trust N.A. as trustee of the Igloo Serie	es III Trust
9		
10		
11	UNITED STATES BA	ANKRUPTCY COURT
12	SOUTHERN DISTR	ICT OF CALIFORNIA
13	In re:	) Case No. 17-00209-MM13
14		
15	Ana Hilda Herrera,	) RS # MRG-1 )
16	Debtor.	) Chapter 13
17,		) ) ) DECLARATION DECLEDANCE DEDLAM
18		) DECLARATION REGARDING DEFAULT ) UNDER THE ADEQUATE PROTECTION
19		) ORDER
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Case No. 17-00209-MM13 Default Declaration

## I, Paymon OVALDERAMAJE, declare:

- 1. I am employed as ASISTANT VICE PERSIDENT by BSI Financial Services Inc, which services the subject loan on behalf of US Bank Trust N.A. as Trustee of the Igloo Series III Trust ("Movant").
- 2. I make this declaration based upon the facts testified herein, all of which are in my personal knowledge, unless stated upon information and belief. As to the statements made upon information and belief, I believe them to be true. If called as a witness, I could and would competently testify thereto.
- 3. I am personally familiar with the books, records and files of Movant that pertain to loans and extensions of credit given to Debtor Wei Chun Lee (hereinafter referred to as "Debtors") concerning the Property commonly known as 1903 Parrot Street., San Diego, CA 92105 (the "Property"). I have personally worked on books, records and files, and as to the following facts, I know them to be true of my own knowledge or I have gained knowledge of them from the business records of Movant on behalf of Movant, which were made at or about the time of the events recorded, and which are maintained in the ordinary course of Movant's business at or near the time of the acts, conditions or events to which they relate. Any such document was prepared in the ordinary course of business of Movant by a person who had personal knowledge of the event being recorded and had or has a business duty to record accurately such event. The business records are available for inspection and copies can be submitted to the court if required.
- 4. BSI received the debtor's cashier's check in the amount of \$6875.00. It was credited to the debtors account on November 19th 2018. A true and correct copy of the payment history is attached as **Exhibit 1**.
- 5. Debtors were not current on their obligations when the payment was received.

  The payment made it so the debtors account was paid through the April 1 2018 payment.

  Debtors remained due for additional payments and failed cure the Notice of Default that was mailed to them on December 3,2018.

	il	·
1	I declare under pena	alty of perjury under the laws of the United States of America that the
2	foregoing is true and correc	t and executed this day of Jawung 2019 at
3	ll <b>/</b> / / / / /	ANPORNIA.
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8		PAINUND VANDERERMETE
9		Declarant
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## EXHIBIT "1"

BK Case 17-00209		* Dries to 12/2011 normant changes were not required to be filled in											
BK Filing Date	1/17/2017	* Prior to 12/2011 payment changes were not required to be filed in courts or with Proof of claim											
First Post pet date	2/1/2017												
Pmt Change Filed	Fliling Date	Effective date		<u>Amount</u>									
POC pmt Filed	2/6/2017	2/1/2017	\$	1,367.27									
Pmt Change Filed	6/6/2017	7/1/2017	\$	1,367.19									
Pmt Change Filed													
Date Rcvd	Amount Rcvd/Rvd		Α	mount Due	Due Date		Suspense						
7/18/2017	\$2,751.58		\$	1,367.27	2/1/2017	\$	1,384.31						
			\$	1,367.27	3/1/2017	\$	17.04						
			\$	1,367.27	4/1/2017	\$	-1,350.23						
			\$	1,367.27	5/1/2017	\$	-2,717.50						
			\$	1,367.27	6/1/2017	\$	-4,084.77						
			\$	1,367.19	7/1/2017	\$	-5,451.96						
			\$	1,367.19	8/1/2017	\$	-6,819.15						
		AO Applied	d.										
9/26/2017	\$484.00					\$	484.00						
10/24/2017	\$5,503.16		\$	1,367.19	9/1/2017	\$	4,619.97						
12/19/2017	\$1,375.79	Stip	\$	1,136.52	9/15/2017	\$	4,859.24						
12/19/2017	\$1,375.79		\$	1,367.19	10/1/2017	\$	4,867.84						
		Stip	\$	1,136.52	10/15/2017	\$	3,731.32						
		Due	\$	1,367.19	11/1/2017	\$	2,364.13						
		Stip	\$	1,136.52	11/15/2017	\$	1,227.61						
3/6/2018	1375.79		\$	1,367.19	12/1/2017	\$	1,236.21						
		Stip	\$	1,136.52	12/15/2017	\$	99.69						
4/26/2018	734.55		\$	1,367.19	1/1/2018	\$	-532.95						
		Stip	\$	1,136.52	1/15/2018	\$	-1,669.47						
7/11/2018	1469.1		\$	1,367.19	2/1/2018	\$	-1,567.56						
		Stip	\$	1,136.52	2/15/2018	\$	-2,704.08						
11/1/2018	734.55		\$	1,367.19	3/1/2018	\$	-3,336.72						
11/19/2018	6875		\$	1,367.19	4/1/2018	\$	2,171.09						
12/5/2018	734.55		\$	1,367.19	5/1/2018	\$	1,538.45						
			\$	1,367.19	6/1/2018	\$	171.26						
			\$	1,367.19	7/1/2018	\$	-1,195.93						
			\$	1,367.19	8/1/2018	\$	-2,563.12						
			\$	1,367.19	9/1/2018	\$	-3,930.31						
			\$	1,367.19	10/1/2018	\$	-5,297.50						
			\$	1,367.19	11/1/2018	\$	-6,664.69						
			\$	1,367.19	12/1/2018	\$	-8,031.88						
			\$	1,367.19	1/1/2019	\$	-9,399.07						

ı								Su	spense @ Filing															
PRE/POST	Contractual Due Date	Transaction Date	Receive Amoun		Principal		Interest		Escrow	Fees/LC	Suspense		Contractual Suspense	РО	ST suspense balance	PI	PRE suspense la balance		Payments applied by system		Payments as per POC / PCNs		erence . ligher, + Lower	Notes
											\$ -	\$		\$	-	\$	-							
PRE		6/27/2017	\$ 734	.55							\$ 734.55	\$	734.55	\$	-	\$	734.55	\$	-			\$	-	
POST		7/18/2017	\$ 2,751								\$ 2,751.58	\$	0,.00.20	\$	2,751.58	\$	734.55	\$	-			\$	-	
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PRE		7/18/2015	\$ 663	.87							\$ 663.87	\$	4,220.68	\$	2,751.58	\$	1,469.10	\$	-			\$	-	
POST	09/01/14	7/19/2017			\$ 958.79	\$	194.90	\$	222.10		\$ -1,375.79	\$	2,844.89	\$	1,375.79	\$	1,469.10	\$	1,375.79	\$	1,375.79	\$	-	
POST	10/01/14	7/19/2017			\$ 962.59	\$	191.10	\$	222.10		\$ -1,375.79	\$	1,469.10	\$	-	\$	1,469.10	\$	1,375.79	\$	1,375.79	\$	-	
		7/19/2017			\$ 966.40	\$	187.29	\$	222.10		\$ -1,375.79	\$	93.31	\$	-	\$	1,469.10	\$	1,375.79			\$	(1,375.79)	
		7/19/2017			\$ -966.40	\$	-187.29	\$	-222.10		\$ 1,375.79	\$	-,	\$	-	\$	1,469.10	\$	-1,375.79			\$	1,375.79	
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PRE		8/29/2017	\$ 232								\$ 232.66	\$	827.86	\$	-	\$	827.86	\$	-			\$	-	
POST		9/26/2017	\$ 484			1		\$	484.00		\$ -	\$	827.86	\$	-	\$	827.86	\$	484.00	_		\$	(484.00)	
PRE		10/5/2017	\$ 734			_					\$ 734.55	\$		\$	-	\$	1,562.41	\$	-			\$	-	
POST	12/01/14	10/24/2017	\$ 1,375		\$ 970.22	\$	183.47	\$	222.10		\$ -0.00	\$	1,562.41	\$	-0.00	\$	1,562.41	\$	1,375.79	\$	1,375.79	\$	-	
POST	01/01/15	10/24/2017	\$ 1,375		\$ 974.06	\$	179.63	\$	222.10		\$ 0.00	\$	-,	\$	-0.00	\$	1,562.41	\$	1,375.79	\$	1,375.79	\$	-	
POST	02/01/15	10/24/2017	\$ 1,375	.79	\$ 977.92	\$	175.77	\$	222.10		\$ -	\$	-,	\$	-0.00	\$	1,562.41	\$	1,375.79	\$	1,375.79	\$	-	
POST	03/01/15	10/24/2017	\$ 1,375	.79	\$ 981.79	\$	171.90	\$	222.10		\$ -	\$	1,562.41	\$	-0.00	\$	1,562.41	\$	1,375.79	\$	1,375.79	\$	-	
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1	Kristin Zilberstein, Esq. (SBN: 200041)								
2	Adam Thursby, Esq. (SBN: 318465) Jennifer Bergh, Esq. (SBN: 305219) Michelle R. Ghidotti-Gonsalves, Esq. (SBN 232837) GHIDOTTI BERGER 1920 Old Tustin Ave. Santa Ana, CA 92705 Ph: (949) 427-2010								
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4									
5									
6	Fax: (949) 427-2732								
7	kzilberstein@ghidottiberger.com								
8	Attorney for Creditor U.S. Bank Trust N.A., as Trustee of the Igloo Series III Trust								
9	UNITED STATES BANKRUPTCY COURT								
10	SOUTHERN DISTRICT OF CALIFORNIA – SAN DIEGO DIVISION								
11									
12	In Re: ) CASE NO.: 17-00209-MM13								
13	Ana Hilda Herrera, CHAPTER 13								
14	Debtors. ) CERTIFICATE OF SERVICE								
15	)								
16	)								
17	) )								
18	)								
19	)								
20									
21	CERTIFICATE OF SERVICE								
22	Lam amplemed in the County of Over as State of Colifornia. Lam even the age of								
23	I am employed in the County of Orange, State of California. I am over the age of								
24	eighteen and not a party to the within action. My business address is: 1920 Old Tustin								
25	Avenue, Santa Ana, CA 92705.								
26	I am readily familiar with the business's practice for collection and processing of								
27	correspondence for mailing with the United States Postal Service; such correspondence would								
28	8								
	1								

1	be deposited with the United States Postal Service the same day of deposit in the ordinary								
2	course of business.								
3	On January 9, 2019 I served the following documents described as:								
4									
5	• DECLARATION RE: DEFAULT UNDER THE ADEQUATE PROTECTION ORDER								
6	on the interested perties in this action by pleasing a two and comment comy themself in a coaled								
7	on the interested parties in this action by placing a true and correct copy thereof in a sealed								
8	envelope addressed as follows:								
9	(Via United States Mail)	I							
10	<b>Debtor</b> Ana Hilda Herrera	Trustee Thomas H. Billingslea							
11	1903 Parrot Street 401 West A Street, Suite 1680								
12	San Diego, CA 92105	San Diego, CA 92101							
13	Debtor's Counsel Janet Gutierrez  U.S. Trustee Office of the U.S. Trustee								
14	Gutierrez & Associates	880 Front Street							
15	350 Tenth Avenue, suite 1049 San Diego, CA 92101	Suite 3230 San Diego, CA 92101							
16	-	, -							
17	<u>xx</u> (By First Class Mail) At my business at the United States Postal Service by placing the	ddress, I placed such envelope for deposit with m for collection and mailing on that date							
18	following ordinary business practices.	101 0010011011 4110 1114111119 011 11141 44110							
19	Via Electronic Mail pursuant to the requ	airements of the Local Bankruptcy Rules of the							
20	Eastern District of California								
	<u>xx</u> (Federal) I declare under penalty of perju	ry under the laws of the United States of							
21	America that the foregoing is true and correct.								
22	Executed on January 9, 2019 at Santa Ana, California								
23	/ <u>s / Krystle Miller</u> Krystle Miller								
24									
25									
26									
27									
28									